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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/047,004	01/16/2002	Maria Azua Himmel	AUS920010629US1	6341

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EXAMINER

PWU, JEFFREY C

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 08/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/047,004

Applicant(s)

HIMMEL ET AL.

Examiner

Jeffrey C. Pwu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 is vague and indefinite because it is unclear of the step how to automatically receive a customer identification record.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-44 are rejected under 35 U.S.C. 102(b) as being anticipated by Sronivassan (U.S. 5,724,412).

Sronivassan teaches a computer implemented system for providing a Uniform Resource Locator (URL) to a customer comprising:  
automatically receiving a customer identification record including a destination address associated with a communications terminal of the customer during a telephone call with the customer; ("the present invention is useful for providing various types of Internet identification information depending upon the type of Internet communication capabilities the

caller has. In particular, the Internet identification information may include one or more of the caller's e-mail address, the caller's Universal Resource Location (URL) identifier, a Gopher address, a Wide Area Information Server (WAIS) address and a file transport protocol (FTP) address.”)

selecting at least one URL to be sent to the destination address of the customer (In particular, the Internet identification information may include one or more of the caller's e-mail address, the caller's Universal Resource Location (URL) identifier); and generating and sending an electronic message containing the at least one URL to the destination address of the customer. (col.1, line 34-col.2, line 14)

wherein the electronic message contains additional items selected from an electronic coupon, an on-line trial subscription, a user ID, a user password, advertisements, merchant information, or combinations thereof, wherein the user ID and user password are required by the Website having the address of the URL. (in step 312, the callee provides the caller information manager 54 with identification information such as a user ID and password which the caller information manager 54, in turn, uses as input to the caller-ID manager 58)

recording the at least one URL into a bookmark section of a browser in the communications terminal. (54)

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wherein the customer has a telephone system selected from a digital telephone, a centrex, a PBX, a telephone service provider and combinations thereof. (14, 74)

wherein the merchant has a telephone system selected from a digital telephone, a centrex, a PBX, a telephone service provider and combinations thereof. (26, 86)

wherein the communications terminal is selected from a mobile telephone, a personal computer, a handheld computer, a personal digital assistant and combinations thereof. (pc)

wherein the communications terminal is a device capable of receiving e-mail. ("Thus, this aspect of the present invention may provide the callee with a quick and easy way to communicate with a caller, such as via e-mail, Internet hyperlinks, or accessing a caller's home page.")

wherein the destination address for the communications terminal is selected from a computer network address, an Internet address and a telephone number. (col.1, line 34-col.2, line 14)

wherein each URL comprises an address for connecting to a Website. (it inherent that URL comprises an address for connecting to a Website)

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wherein the step of recording the destination address comprises: selecting a menu function on a telephone system of the customer for recording the destination address associated with the communications terminal; and specifying the destination address on an interactive display provided by the telephone system of the customer. (216)

saving the destination address as part of a caller ID within the telephone system. (224)

wherein the caller ID contains information selected from date, time, customer telephone number, customer name, customer e-mail address or combinations thereof. (58, 66)

wherein the step of obtaining the destination address is selected from reading the address from a caller ID, querying the customer to transmit the address to the telephone system of the merchant, or combinations thereof. (figs. 2A-2B "step 204, steps 224 and 228 are performed wherein the callee's terminating central office uses the caller's phone number to also query the LIDB 50 for obtaining the caller's name. ")

Sronivassan further teaches a method for sending a Uniform Resource Locator (URL) to a communications terminal of a first party comprising:

registering a destination address of the communications terminal with a database maintained by a sender; selecting at least one URL to be sent to the communications terminal during a telephone call a between the first party and the sender; generating an e-mail by a telephone system of the sender containing the at least one URL; and

sending the e-mail containing the at least one URL from a telephone system of the sender to the destination address of the communications terminal. (col.1, line 34- col.2,line 14)

wherein the step of sending an e-mail further comprises: detecting the first party identification; and dispatching the e-mail to the destination address registered in the sender database under the first party identification, wherein the first party identification is detected by a technique selected from reading the first party identification from the caller ID, querying the first party for the first party identification, or combinations thereof. (steps 216 – 228)

### ***Response to Arguments***

5. Applicant's arguments with respect to claim 1-44 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey Pwu whose telephone number is 571-272-6798.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



8/5/05

JEFFREY PWU  
EXAMINER